

OCT 13 2010

JULIA C. DUDLEY, CLERK  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Roanoke Division

DOMINGO ROMERO MOLINA, )  
Petitioner ) Criminal Action No. 5:03-CR-30053  
v. ) Civil Action No.: 5:10-CV-80246  
UNITED STATES OF AMERICA, )  
Respondent ) **ORDER**  
                                )  
                                ) By: Hon. James C. Turk  
                                ) Senior United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED** and **ADJUDGED** that Respondent's Motion to Dismiss is **GRANTED**; the above referenced motion pursuant to 28 U.S.C. § 2255 is **DISMISSED**; a certificate of appealability is **DENIED**, and this action shall be **STRICKEN** from the active docket of this court.

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to Petitioner and to counsel for the United States.

ENTER: This 8<sup>th</sup> day of October, 2010.

  
\_\_\_\_\_  
Hon. James C. Turk  
Senior United States District Judge